

R E M A R K S

Prior to entry of this Amendment:

- Claims **1-32** were pending in the present application

Upon entry of this Amendment, which is respectfully requested for the reasons set forth below:

- Claims **1-8, 15, 33, and 34** will be pending
- Claim **15** will be amended
- Claims **33 and 34** will be added
- Claims **1, 15, 33, and 34** will be the only independent claims

A. Telephone Interview

We would like to thank the Examiner for the helpful telephone conversation held on January 24, 2005, with our representative.

The Examiner and our representative discussed the Election/Restriction requirement in the present Office Action. The Examiner agreed to consider Claim **15** (as well as the indicated Claims **1-8**) as being directed to the invention designated by the Examiner as "Invention I."

B. Election/Restriction Requirement

In order to comply with the Examiner's restriction requirement, Applicants have elected the subject matter designated by the Examiner as "Invention I."

Based on the Examiner's definition of "Invention I," we consider Claims **1-8 and 15** and new Claims **33 and 34** to be directed to "Invention I."

Claim **15** has been rewritten in independent form including all the limitations of the base claim (Claim **9**).

New Claims **33 and 34** have been added. We do not believe that new Claims **33 and 34** would impose an unreasonable burden for examination in addition to Claims **1-8 and 15**. Claim **33** is directed to a computer readable medium storing instructions configured to direct a processor to perform the method of Claim **1**. Claim **34** is directed to an apparatus comprising the computer readable medium of Claim **33**. Accordingly, each of new Claims **33 and 34** is believed to be directed to "Invention I."

Applicants have cancelled Claims **9-14 and 16-32** without prejudice. In response to the Examiner's requirement for restriction, Applicants plan to pursue the subject matter of Claims **9-14 and 16-32** in a continuing application.

C. Authorization to Charge Appropriate Fees

We do not believe that any fees are necessary. Please charge any appropriate fees necessary for this response and amendment.

We do not believe that any extension of time to respond is necessary. If any additional extension of time is necessary, please grant a petition for the extension of time required to make this Response timely.

If necessary, please charge per the following information:

Deposit Account: 50-0271

Order No.: 03-018

Please credit any overpayment to the same account.

A duplicate copy of this authorization is enclosed for such purposes.


D. Conclusion

It is submitted that all of the claims are in condition for allowance. The Examiner's early re-examination and reconsideration are respectfully requested.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

January 24, 2005
Date

Respectfully submitted,



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